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Counsel for Defendant STUART

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RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-05-70262 MAG
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER WAIVING APPEARANCES OF
v.)	DEFENDANTS STUART, DOUGLASS,
)	AND LANGE AT STATUS CONFERENCE
ZIBU GAO, et al.,)	ON JULY 21, 2005
)	
Defendants.)	

Defendants Tiffany Stuart, Brandy Douglass, and Jennifer Lange have made their initial appearance in this district on complaints charging them with immigration-related fraud, in violation of 18 U.S.C. § 1546(a). Each was released on an unsecured bond and ordered to appear for preliminary hearing or arraignment on June 30, 2005. On June 30, 2005, the matter was continued to July 21, 2005.

Ms. Stuart, Ms. Douglass, and Ms. Lange live in Los Angeles. In order to appear for court in this district, the defendants must arrange for transportation and accommodations in San Francisco. These arrangements impose significant financial hardship on the defendants, each of whom is represented by court-appointed counsel.


Federal Rule of Criminal Procedure 43(b) provides that a defendant need not be present

1 when "[t]he proceeding involves only a conference or hearing on a question of law." Fed. R.
2 Crim. P. 43(b)(3). The parties anticipate that the appearance on July 21, 2005 will be limited to
3 the setting of future dates in the matter.

4 Accordingly, the parties agree and stipulate that the personal appearance of Ms. Stuart,
5 Ms. Douglass, and Ms. Lange at the status conference on July 21, 2005 should be excused.
6 Counsel for these defendants will appear on their behalf.

7 BARRY J. PORTMAN
Federal Public Defender

8 Dated: 7/19/05

9 
JOSH COHEN
Assistant Federal Public Defender
Counsel for TIFFANY STUART

11 Dated:

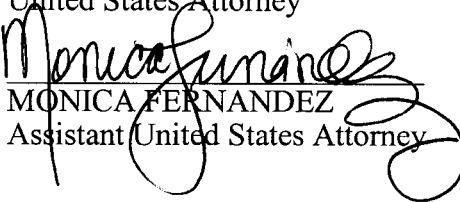
12 SUZANNE LUBAN
Counsel for JENNIFER LANGE

14 Dated:

15 GEOFFREY ROTWEIN
Counsel for BRANDY DOUGLASS

16 KEVIN V. RYAN
United States Attorney

17 Dated: 7/19/05

18 
MONICA FERNANDEZ
Assistant United States Attorney

19
20 Accordingly, and for good cause shown, it is hereby ORDERED that defendants Tiffany
21 Stuart, Brandy Douglass, and Jennifer Lange shall be excused from personally appearing at the
22 status conference in this matter on July 21, 2005.

23 Dated: July 20, 2005

24 
NANDOR VADAS
UNITED STATES MAGISTRATE JUDGE

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12 Dated: SUZANNE LUBAN
13 Counsel for JENNIFER LANGE

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19 Dated: MONICA FERNANDEZ
20 Assistant United States Attorney

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25 UNITED STATES MAGISTRATE JUDGE
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From-FEDERAL PUBLIC DEFENDER

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UNITED STATES MAGISTRATE JUDGE

25
26 CR 05-70262 MAG; STIP WAIVING DEFS.
APPEARANCE

CERTIFICATE OF SERVICE

The undersigned hereby certifies under penalty of perjury that the following true copy of the **Stipulation and Order Waiving Appearances of Defendants Stuart, Douglass, And Lange at Status Conference on July 21, 2005**, concerning the case of United States v. Zibu Gao, et.al., CR 05-70262 MAG was filed dated July 20, 2005 and hand delivered to:

United States Attorney
450 Golden Gate Ave, 11th Floor
San Francisco, CA,
Assistant United States Attorney
Monica Fernandez

and by Fax Transmittal to:

Suzanne Luban
Geoffrey Rotwein

July 20, 2005



MICHAEL TARKINGTON